



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing for April 21, 1999, to Consider Introducing an Ordinance to Add Lodi Municipal Code Chapter 10.43, "Regulations for Roller Skating", and Amend Chapters 10.40, "Regulations for Bicycles", and 10.42, "Skateboards"

**MEETING DATE:** March 17, 1999

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council set a public hearing for April 21, 1999, to consider introducing an ordinance to:

1. Add new Lodi Municipal Code (LMC) Chapter 10.43, "Regulations for Roller Skating", authorizing the regulation of roller skating **(Exhibit A)**.
2. Amend LMC Chapter 10.40, "Regulations for Bicycles", by amending Subsection 10.40.020 (C.), "Bicycle Riding Rules", by adding a reference to include public or private property that has been properly signed; and the addition of Subsection 10.40.030, "Posted property – Bicycling prohibited without permission.", Subsection 10.40.040, "Signing and Posting – Method.", and Subsection 10.40.050, "Violation – Infraction." **(Exhibit B)**.
3. Amend LMC Chapter 10.42, "Skateboards", changing sign size from a minimum of 18"x18" to a minimum of 12"x18" **(Exhibit C)**.

**BACKGROUND INFORMATION:** In the attached letter **(Exhibit D)**, the Vice President of the Downtown Lodi Business Partnership has requested that skateboards, bicycles, and rollerblading (roller skating) be prohibited on sidewalks in the downtown area due to safety concerns. While the City can administratively regulate the use of skateboards and bicycles under LMC Subsection 10.40.026, there are no regulations for roller skating. The purpose of this memo is to present an ordinance for discussion which would regulate roller skating, and also make minor changes and additions necessary to provide uniformity related to the signing and posting of this and similar restrictions.

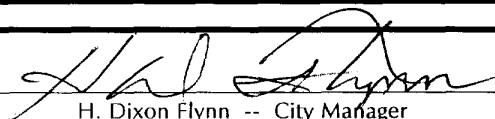
**1. Regulations for Roller Skating**

California Vehicle Code Section 21969 allows local authority to adopt rules and regulations by ordinance to regulate the use of roller skates on sidewalks as well as roadways. Based on this, a new LMC Chapter 10.43 was drafted to regulate roller skating both in the public right-of-way and other posted properties, very similar to the existing skateboard regulations. The definition of roller skates would include in-line skates, commonly called "rollerblades." This would allow the City to administratively post sidewalks to prohibit skating and property owners to do so on site as well.

**2. Skateboards**

Per LMC Chapter 10.42, the minimum sign size required to prohibit skateboarding is 18"x18". This sign was selected because it was needed to accommodate the cartoon depiction of a skateboarder that was first used to designate this restriction. However, some businesses felt the cartoon

APPROVED:

  
H. Dixon Flynn -- City Manager

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March 17, 1999

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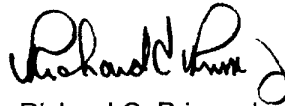
character was not appropriate, so, in those cases, word signs were used. There is no other significance to the sign size, and reducing the sign size to a minimum of 12" wide by 18" high would not affect the ability to post the larger signs. The reduced sign size will be the same as standard "No Parking" and "Time Limit Parking" signs, so signs can be mounted back to back, if needed.

3. Regulations for Bicycles

The final issue is the standardization of posting method and sign type for the restriction of skateboards, bicycles and roller skates. At this time, the LMC specifies sign wording, size, and posting method for skateboards but not for bicycles. In order to provide consistency, the sign wording, size, and posting method would be added to the regulations, as shown on **Exhibit C**.

**RECOMMENDATION:** Although we have concerns about discouraging people to go Downtown, based on the safety concerns expressed by the Downtown Lodi Business Partnership, staff recommends that Council set a public hearing to publicly review this issue.

**FUNDING:** Not applicable.



Richard C. Prima, Jr.  
Public Works Director

Prepared by Rick S. Kiriu, Senior Engineering Technician

RCP/RSK/lm

Attachments

cc: City Attorney  
Administrative Assistant to the City Manager – Haynes  
Police Chief  
Police Lieutenant – Tobeck  
Police Officer – Paine  
Street Superintendent  
Associate Traffic Engineer  
DLBP Vice President - Goldberg

**NEW CHAPTER**

**Chapter 10.43 REGULATIONS FOR ROLLER SKATES**

**Section 10.43.010 Definitions**

**Section 10.43.020 Using roller skates where prohibited**

**Section 10.43.030 Posted property – Roller skating prohibited without permission**

**Section 10.43.040 Posting – Method**

**Section 10.43.050 Violation – Infraction**

**10.43.010 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Posted property" means any property specified in Sections 10.43.020 and 10.43.030 which is posted in the manner provided in Section 10.43.040.

B. "Signs" means a board, placard, card or similar device not less than twelve inches by eighteen inches in size with lettering not less than one inch in height, upon which appear the words "Roller Skating Prohibited" or which contains a picture of roller skates over which appears the international symbol for prohibition of a red circle and slash, along with reference to this ordinance number. Such sign may be painted directly upon a sidewalk, pavement or wall.

C. "Roller Skate" is defined as any device or conveyance with any number of wheels or tracks, whether off-set or in-line, attached to each foot, and which are designed to be or can be propelled by human power, and include "rollerblades."

**10.43.020 Using roller skates where prohibited.**

No person shall use or ride any skateboard or other similar device in, upon, or around any on-site roadways, sidewalks, parking facilities, or pedestrian walkways located on any city-owned property which has been appropriately signed under this chapter, nor upon any other public or private property where appropriate signs, as prescribed herein, have been posted. (Vehicle Code 21969)

**10.43.030 Posted property—Roller Skating prohibited without permission.**

It is unlawful for any person to use or ride roller skates on any posted property without the written permission of the owner(s), tenant(s), or other occupant(s) in legal possession or control thereof.

**10.43.040 Posting--Method.**

Property may be posted against the use of or riding of roller skates on posted property in the following manner:

A. If the property does not contain any lineal dimension exceeding three hundred feet, by posting signs at each corner of the area and at intervals not exceeding one hundred feet, and, if such property has a definite entrance or entrances, at each such entrance.

B. If the property has lineal dimensions exceeding three hundred feet, by posting signs at each corner of the area and at intervals not exceeding two hundred feet, and, if such property has a definite entrance or entrances, at each such entrance.

C. Public sidewalks or walkways where roller skating is prohibited shall be posted with at least one sign per block on each side where roller skating is regulated, or every three hundred feet, whichever is less.

**10.43.050 Violation--Infraction.**

A violation of this chapter of the municipal code shall be an infraction.

**Chapter 10.40 REGULATIONS FOR BICYCLES**

**Section 10.40.010 Bicycle license required**

**Section 10.40.020 Bicycle riding rules**

**Section 10.40.030 Posted Property – Bicycling prohibited without permission**

**Section 10.40.040 Signs and posting method**

**Section 10.40.050 Violation – Infraction**

10.40.010 Bicycle license required.

- A. All bicycles operated in the city shall be licensed and registered by the city.
- B. Bicycle licenses shall be issued by the police chief. The police chief is authorized to issue rules and regulations, not inconsistent with this section or accompanying council resolution, governing the issuance and display of bicycle licenses.
- C. The police chief shall collect a fee as established by resolution of the council from time to time for each license issued.
- D. This section does not apply to bicycle manufacturers or dealers transporting, displaying or demonstrating bicycles, or to the operators of bicycles not residing within the city limits; provided that such operators not residing within the city limits have complied with any registration and licensing requirements of the local authority in which they reside.
- E. The police department shall have the right to impound and retain possession of any bicycle in violation of the provisions of this section, and may retain possession of such bicycle until the provisions of this chapter are complied with.

10.40.020 Bicycle riding rules.

- A. No person shall operate a bicycle on the sidewalk in a business district.
- B. Persons operating bicycles on the sidewalk shall yield the right-of-way to any pedestrian approaching thereon, and shall exercise due care for the safety of any person upon the sidewalk.
- C. Persons operating bicycles on the sidewalk shall obey any signs posted by the public works director in accordance with Section 10.40.040 regulating or prohibiting the riding, walking or parking of bicycles on any public or private property. (Vehicle Code § 21206)
- D. Subsections A and C of this section shall not apply to police personnel acting within the course and scope of their employment.

**10.40.030 Posted property— Bicycling prohibited without permission.**

It is unlawful for any person to ride bicycles on any posted property without the written permission of the owner(s), tenant(s), or other occupant(s) in legal possession or control thereof.

**10.40.040 Posting and signing - Method.**

Property may be posted against the use of or riding of bicycles in the following manner:

- A. If the property does not contain any lineal dimension exceeding three hundred feet, by posting singssigns at each corner of the area and at intervals not exceeding one hundred feet and, if such property has a definite entrance or entrances, at each such entrance.
- B. If the property has lineal dimensions exceeding three hundred feet, by posting signs at each corner of the area and at intervals not exceeding two hundred feet, and, if such property has a definite entrance or entrances, at each such entrance.
- C. Public sidewalks or walkways where bicycling is prohibited shall be posted with at least one sign per block, on each side where bicycling is regulated, or every three hundred feet, whichever is less.
- D. "Signs" means a board, placard, card or similar device not less than twelve inches by eighteen inches in size with lettering not less than one inch in height, upon which appear the words "Bicycling Prohibited" or which contains a picture of a bicycle over which appears the international symbol for prohibition of a red circle and slash, along with reference to this ordinance number. Such sign may be painted directly upon a sidewalk, pavement or wall.

**10.40.050 Violation--Infraction.**

A violation of this chapter of the municipal code shall be an infraction.

**AMENDED CHAPTER**

**Chapter 10.42 SKATEBOARDS**

**Section 10.42.010 Definitions**

**Section 10.42.020 Using roller skates where prohibited**

**Section 10.42.030 Posted property – Roller skating prohibited without permission**

**Section 10.42.040 Posting – Method**

**Section 10.42.050 Violation – Infraction**

**10.42.010 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Posted property" means any property specified in Sections 10.42.020 and 10.42.030 which is posted in the manner provided in Section 10.42.040.

B. "Signs" means a board, placard, card or similar device not less than ~~eighteen~~ **twelve** inches by eighteen inches in size with lettering not less than one inch in height, upon which appear the words "Skateboarding Prohibited" or which contains a picture of a skateboard over which appears the international symbol for prohibition of a red circle and slash, along with reference to this ordinance number. Such sign may be painted directly upon a sidewalk, pavement or wall.

C. "Skateboard" means any device or conveyance with any number of wheels, with a riding surface of any design intended primarily for a person to stand upon with one or two feet, and which is designed to be or can be propelled by human power, and which is not classified as a bicycle or tricycle.

**10.42.020 Riding skateboards prohibited where.**

No person shall use or ride any skateboard or other similar device, in, upon, or around any on-site roadways, sidewalks, parking facilities or pedestrian walkways located on any city-owned property which has been appropriately signed under this chapter, nor upon any other public or private property where appropriate signs, as prescribed herein, have been posted.

**10.42.030 Posted property-- Skateboards prohibited without permission.**

It is unlawful for any person to use or ride skateboards on any posted property without the written permission of the owners, tenant or other occupant in legal possession or control thereof.

**10.42.040 Posting--Method.**

Property may be posted against the use of or riding of skateboards on posted property in the following manner:

A. If the property does not contain any lineal dimension exceeding three hundred feet, by posting signs [sic] at each corner of the area and at intervals not exceeding one hundred feet and, if such property has a definite entrance or entrances, at each such entrance.

B. If the property has lineal dimensions exceeding three hundred feet, by posting signs at each corner of the area and at intervals not exceeding two hundred feet and, if such property has a definite entrance or entrances, at each such entrance.

C. Public sidewalks or walkways where skateboarding is prohibited shall be posted with at least one sign per block, on each side where skateboarding is regulated, or every three hundred feet, whichever is less.

**10.42.050 Violation--Infraction.**

A violation of this chapter of the municipal code shall be an infraction.

RE **Exhibit D**

FEB 18 1999

**Downtown Lodi Business Partnership**  
**P.O. Box 1565**  
**Lodi, CA 95241**



February 17, 1999

City Council  
City of Lodi  
221 W. Pine Street  
Lodi, Ca 95240

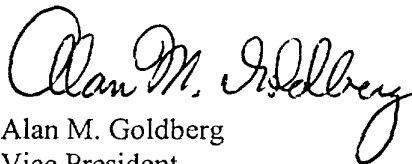
Dear Councilmembers:

On behalf of the Downtown Lodi Business Partnership, I would like to request that the ordinance prohibiting bicycles and skateboards on downtown sidewalks be amended to include rollerblades.

They, too, represent a significant hazard to pedestrians, and the problem will only worsen as our business environment continues to expand.

Thank you very much.

Sincerely,

  
Alan M. Goldberg  
Vice President

AMG:sh



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

### NOTICE OF PUBLIC HEARING

Date: Wednesday, April 21, 1999

Time: 7:00 p.m.

For information regarding this notice please contact:

**Alice M. Reimche**

**City Clerk**

**Telephone: (209) 333-6702**

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, April 21, 1999** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) introducing an ordinance to add Lodi Municipal Code Chapter 10.43 "Regulations for Roller Skating", and amend Chapters 10.40, "Regulations for Bicycles" and 10.42, "Skateboards".

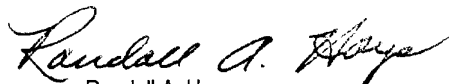
All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.

  
Alice M. Reimche  
City Clerk

**Dated: March 17, 1999**

Approved as to form:

  
Randall A. Hays  
City Attorney

CITY COUNCIL

KEITH LAND, Mayor  
STEPHEN J. MANN  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
ALAN S. NAKANISHI  
PHILLIP A. PENNINO

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710

March 11, 1999

H. DIXON FLYNN  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RANDALL A. HAYS  
City Attorney

Mr. Alan Goldberg, Vice President  
Downtown Lodi Business Partnership  
P. O. Box 1565  
Lodi, CA 95241

SUBJECT: Set Public Hearing for April 21 1999, to Consider Introducing an Ordinance to Add Lodi Municipal Code Chapter 10.43, "Regulations for Roller Skating", and Amend Chapters 10.40, "Regulations for Bicycles", and 10.42, "Skateboards"

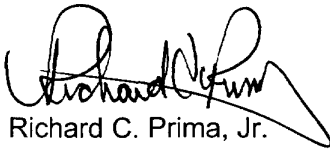
Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, March 17, 1999. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

As indicated in the title, the only action will be to set a public hearing date on the item. Public hearings are usually set for the second following Council Meeting.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Alice Reimche, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Rick Kiriu at 333-6800, ext. 668.



Richard C. Prima, Jr.  
Public Works Director

RCP/lm

Enclosure

cc: City Clerk ✓